

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

CHAN HEN JUNG

Debtor

Chapter 13

Case No. 21-10041-BFK

MOTION TO DISMISS,
NOTICE OF MOTION TO DISMISS
AND
NOTICE OF SCHEDULED HEARING ON THIS MOTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

Violation of 11 U.S.C. §343 – Failure to Appear at Meeting of Creditors

- Debtor and Debtor's Counsel failed to appear for his Meeting of Creditors scheduled for February 9, 2021.

Violation of 11 U.S.C. §1307(c)(4) – Failure to Commence making Plan Payments.

- Debtor has not yet made his first Plan payment.

Violation of 11 U.S.C. §1307(e) & §1308(a) – Failure to File Tax Returns at Time of 341.

- Debtor has not yet provided 2019 tax returns, pay advices, or verification of identification.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

Notice and Motion to Dismiss

Chan Hen Jung, Case #21-10041-BFK

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

Attend the hearing to be held on March 4, 2021 at 1:30 p.m. in Courtroom #1 on the 2nd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314.¹ If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste. 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: __February 12, 2021__

___/s/ Thomas P. Gorman_____
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

¹ Pursuant to the Bankruptcy Court's Protocol in response to COVID-19 Public Health Emergency, parties appearing for hearings shall appear via Zoom for Government and must pre-register and follow the procedures set forth at https://www.vaeb.uscourts.gov/wordpress/?page_id=9098.

Notice and Motion to Dismiss

Chan Hen Jung, Case #21-10041-BFK

CERTIFICATE OF SERVICE

I hereby certify that I have this 12th day of February, 2021, served via ECF to authorized users or mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Chan Hen Jung
Chapter 13 Debtor
9106 Hunting Pines Place
Fairfax, VA 22032-1463

Damien George Smith
Attorney for Debtor
Rowe, Weinstein & Sohn, PLLC.
7010 Little River Turnpike, Ste 300
Annandale, VA 22003

____/s/ Thomas P. Gorman_____
Thomas P. Gorman